

ORDINANCE NO. _____

An ordinance amending Title 22 – Planning and Zoning – of the Los Angeles County Code related to the establishment or amendment of regulations for small-scale solar energy systems, small-scale wind energy systems, utility-scale solar energy facilities, utility-scale wind energy facilities, and temporary meteorological towers; and other related amendments.

SECTION 1. Section 22.08.040 D is hereby amended to read as follows:

22.08.040 D

...

-- “Decommissioning” means the discontinuance of a permitted use and removal of all structures, equipment, footings, and fencing associated therewith from a property, which includes safe storage, dismantling, disposal, and/or recycling; and site restoration.

...

~~**SECTION 2.** Section 22.08.070 G is hereby amended to read as follows:~~

~~**22.08.070 G**~~

~~...~~

~~“Guy wires” means wires or cables used to support a wind tower as defined by Section 22.08.230, or other structures that require the use of such wires or cables for support.~~

SECTION 23. Section 22.08.130 M is hereby amended to read as follows:

~~**22.08.070**~~**130 M**

...

-- “Meteorological tower, temporary (Temp Met Tower)” means a facility consisting of a tower and related wind-measuring devices, which is used ~~solely~~ to measure winds ~~preliminary prior~~ to construction of a ~~non-commercial~~ small-scale wind energy ~~conversion system~~ or utility-scale wind energy facility.

...

SECTION 34. Section 22.08.190 S, is hereby amended to read as follows:

22.08.190 S

...

-- “Small-scale solar energy system” means a system where solar energy is used to generate direct electrical or thermal energy primarily for on-site use. Such system may be affixed either to the ground or to a structure, other than the system’s mechanical support structure, such as a building or carport. Any energy generated by such system that exceeds the on-site energy demand may be used off-site. A small-scale solar energy system shall not use concentrated solar thermal collectors, which use lenses or mirrors to focus or reflect a large area of sunlight onto a small area.

-- “Small-scale wind energy system” means a system where wind energy is used to generate direct electrical energy primarily for on-site use. Such system may be affixed to either the ground or to a structure, other than the system’s mechanical support structure, such as a building or carport. Such system has a rated capacity of 50 kilowatts or fewer. Any energy generated by such system that exceeds the on-site energy demand may be used off-site.

-- “Solar array” means the mechanically integrated assembly of modules or panels with a support structure and foundation, tracker, and other components, as required to generate direct electrical or thermal energy using solar energy.

...

SECTION ~~45~~. Section 22.08.210 U is hereby amended to read as follows:

22.08.210 U

...

-- Utility-scale solar energy facility, ground-mounted. “Ground-mounted utility-scale solar energy facility” means a facility affixed to the ground where solar energy is used to generate direct electrical or thermal energy primarily for off-site use. This definition includes all on-site and off-site equipment and accessory structures related to the facility, including but not limited to solar arrays, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, and other accessory structures. A ground-mounted utility-scale solar energy facility shall not use concentrated solar thermal collectors, which use lenses or mirrors to focus or reflect a large area of sunlight onto a small area.

-- Utility-scale solar energy facility, structure-mounted. “Structure-mounted utility-scale solar energy facility” means a facility affixed to a structure that is separate from the facility’s mechanical support structure, such as a building or carport, where solar energy is used to generate direct electrical or thermal energy primarily for off-site use. This definition includes all on-site and off-site equipment and accessory structures related to the facility, including but not limited to solar arrays, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance

buildings, and other accessory structures. A structure-mounted utility-scale solar energy facility shall not use concentrated solar thermal collectors, which use lenses or mirrors to focus or reflect a large area of sunlight onto a small area.

-- Utility-scale wind energy facility, ground-mounted. “Ground-mounted utility-scale wind energy facility” means a facility affixed to the ground where wind energy is used to generate direct electrical energy primarily for off-site use. This definition includes all on-site and off-site equipment and accessory structures related to the facility, including but not limited to wind towers, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, and other accessory structures.

-- Utility-scale wind energy facility, structure-mounted. “Structure-mounted utility-scale wind energy facility” means a facility affixed to a structure that is separate from the facility’s mechanical support structure, such as a building or carport, where wind energy is used to generate direct electrical energy primarily for off-site use. This definition includes all on-site and off-site equipment and accessory structures related to the facility, including but not limited to wind towers, mounting posts, substations, electrical infrastructure, transmission lines, operations and maintenance buildings, and other accessory structures.

...

SECTION 56. Section 22.08.230 W is hereby amended to read as follows:

22.08.230 W

...

~~--- “Wind energy conversion system, non-commercial (WECS-N)” means a facility consisting of a tower, wind turbine generator with blades, guy wires and anchors, and associated control and conversion electronic equipment to convert wind movement into electricity, with a rated capacity of not more than 50 kW; and that is incidental and subordinate to another use on the same parcel. A facility shall be considered a WECS-N only if it supplies electrical power solely for on-site use, except that when a parcel on which a WECS-N is installed also received electrical power supplied by a utility company, excess electrical power generated by the WECS-N and not presently needed for on-site use may be used by the utility company in exchange for a reduction in the cost of electrical power supplied by that company to the parcel for on-site use, as long as no net revenue is produced by such excess electrical power.~~

~~===== “Wind tower” means the vertical component, including blades if any, of a small scale wind energy system, a utility scale wind energy facility, or a temporary meteorological tower that elevates the wind turbine generator and attached blades above the ground.~~

...

SECTION ~~67~~. Section 22.20.070 is hereby amended to read as follows:

22.20.070 Permitted Uses.

Property in Zone R-1 may be used for:

...

-- Small family homes, children.

~~-- Utility-scale solar energy facility, structure-mounted, which is limited to small residential rooftop solar energy system, as defined and regulated by Government~~

Code Section 65850.5, and as may be amended from time to time, and the Los Angeles County Building Code, as amended, in accordance with Part 15 of Chapter 22.52.

SECTION ~~78~~. Section 22.20.080 is hereby amended to read as follows:

22.20.080 Accessory Uses.

Property in Zone R-1 may be used for the following accessory uses:

...

-- Signs as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION ~~89~~. Section 22.20.100 is hereby amended to read as follows:

22.20.100 Uses Subject to Permits.

Property in Zone R-1 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

...

-- Subdivision directional signs subject to the limitations and conditions of Part 8 of Chapter 22.56.

-- Meteorological tower, temporary, in accordance with Part 15 of Chapter 22.52.

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale solar energy facility, structure-mounted, except for small residential rooftop solar energy system, as defined and regulated by Government Code Section 65850.5, and as may be amended from time to time, and the Los Angeles County Building Code, and as may be amended from time to time, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

...

SECTION ~~940~~. Section 22.20.170 is hereby amended to read as follows:

22.20.170 Permitted Uses.

Property in Zone R-2 may be used for:

...

-- Small family homes, children.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

SECTION 104. Section 22.20.180 is hereby amended to read as follows:

22.20.180 Accessory Uses.

Property in Zone R-2 may be used for:

...

C. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 112. Section 22.20.200 is hereby amended to read as follows:

22.20.200 Uses Subject to Permits.

Property in Zone R-2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

...

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

...

SECTION 123. Section 22.20.260 is hereby amended to read as follows:

22.20.260 Permitted Uses.

Property in Zone R-3-()U may be used for:

...

-- Townhouses.

~~-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.~~

SECTION 134. Section 22.20.270 is hereby amended to read as follows:

22.20.270 Accessory Uses.

...

C. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 145. Section 22.20.290 is hereby amended to read as follows:

22.20.290 Uses Subject to Permits.

Property in Zone R-3-()U may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

...

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

-- ~~Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

...

SECTION 156. Section 22.20.340 is hereby amended to read as follows:

22.20.340 Permitted Uses.

Property in Zone R-4-()U may be used for:

...

-- Townhouses.

-- Utility-scale solar energy facility, structure-mounted, in accordance with

Part 15 of Chapter 22.52.

SECTION 167. Section 22.20.350 is hereby amended to read as follows:

22.20.350 Accessory Uses.

...

C. Small-scale solar energy system, in accordance with Part 15 of Chapter

22.52.

SECTION 178. Section 22.20.370 is hereby amended to read as follows:

22.20.370 Uses Subject to Permits.

Property in Zone R-4-()U may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of

Chapter 22.52.

...

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of

Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

...

SECTION ~~199~~. Section 22.20.410 is hereby amended to read as follows:

22.20.410 Permitted Uses.

Property in Zone R-A may be used for:

...

-- Small family homes, children.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

SECTION ~~199~~. Section 22.20.420 is hereby amended to read as follows:

22.20.420 Accessory Uses.

...

C. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION ~~204~~. Section 22.20.440 is hereby amended to read as follows:

22.20.440 Uses Subject to Permits.

Property in Zone R-A may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

...

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

-- Water reservoirs, dams, treatment plants, gaging stations, pump stations, wells and tanks, except those wells and tanks related to a shared water well, and any other use normal and appurtenant to the storage and distribution of water.

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

...

SECTION 21~~2~~. Section 22.24.070 is hereby amended to read as follows:

22.24.070 Permitted Uses.

Premises in Zone A-1 may be used for:

A. The following uses:

...

-- Small family homes, children.

-- Utility-scale solar energy facility, structure-mounted, in accordance

with Part 15 of Chapter 22.52.

...

SECTION 223. Section 22.24.080 is hereby amended to read as follows:

22.24.080 Accessory Uses.

Property in Zone A-1 may be used for:

...

D. Small-scale solar energy system, in accordance with Part 15 of Chapter
22.52.

SECTION 234. Section 22.24.100 is hereby amended to read as follows:

22.24.100 Uses Subject to Permits.

Property in Zone A-1 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of

Chapter 22.52.

...

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

...

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

~~-- Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

SECTION 245. Section 22.24.120 is hereby amended to read as follows:

22.24.120 Permitted Uses.

Premises in Zone A-2 may be used for:

...

D. The following additional uses:

...

-- Parks, playgrounds and beaches, with all appurtenant facilities customarily found in conjunction therewith.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION 256. Section 22.24.130 is hereby amended to read as follows:

22.24.130 Accessory Uses.

Property in Zone A-2 may be used for:

...

D. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 267. Section 22.24.150 is hereby amended to read as follows:

22.24.150 Uses Subject to Permits.

Property in Zone A-2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

...

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

...

-- Townhouses, subject to the conditions of Section 22.56.255.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

B. The following uses, provided the specified permit has first been obtained, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

-- ~~Wind energy conversion systems, non-commercial, in conformance with the standards and requirements specified in Part 15 of Chapter 22.52.~~

SECTION 27~~8~~. Section 22.28.030 is hereby amended to read as follows:

22.28.030 Permitted Uses.

Premises in Zone C-H may be used for the following:

A. Services.

...

-- Stations – Bus, railroad, and taxi.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION ~~289~~. Section 22.28.040 is hereby amended to read as follows:

22.28.040 Accessory Uses.

Premises in Zone C-H may be used for:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter
22.52.

SECTION ~~2930~~. Section 22.28.060 is hereby amended to read as follows:

22.28.060 Uses Subject to Permits.

Premises in Zone C-H may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

~~Signs, as provided in Part 10 of Chapter 22.52.~~

~~Small scale wind energy system, in accordance with Part 15 of~~

~~Chapter 22.52.~~

...

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of

Chapter 22.52.

...

-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION 304. Section 22.28.080 is hereby amended to read as follows:

22.28.080 Permitted Uses.

Premises in Zone C-1 may be used for:

A. The following commercial uses, provided all sales are retail and all goods sold except genuine antiques are new:

...

2. Services.

...

-- Union halls.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION 312. Section 22.28.090 is hereby amended to read as follows:

22.28.090 Accessory Uses.

Premises in Zone C-1 may be used for:

...

B. The following additional accessory uses:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of

Chapter 22.52.

...

SECTION 323. Section 22.28.110 is hereby amended to read as follows:

22.28.110 Uses Subject to Permits.

Premises in Zone C-1 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

~~...~~

~~== Signs, as provided in Part 10 of Chapter 22.52. ==~~

~~== Small-scale wind energy system, in accordance with Part 15 of~~

~~Chapter 22.52.~~

...

-- Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

-- Temporary meteorological tower, in accordance with Part 15 of

Chapter 22.52.

...

-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION 334. Section 22.28.130 is hereby amended to read as follows:

22.28.130 Permitted Uses.

Premises in Zone C-2 may be used for:

A. The following commercial uses, provided all sales are retail and all goods sold except genuine antiques are new:

...

2. Services.

...

-- Union halls.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION 345. Section 22.28.140 is hereby amended to read as follows:

22.28.140 Accessory Uses.

Premises in Zone C-2 may be used for:

...

C. The following additional accessory uses:

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of

Chapter 22.52.

SECTION 356. Section 22.28.160 is hereby amended to read as follows:

22.28.160 Uses Subject to Permits.

Premises in Zone C-2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

~~Signs, as provided in Part 10 of Chapter 22.52.~~

~~Small-scale wind energy system, in accordance with Part 15 of~~

~~Chapter 22.52.~~

...

-- Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

-- Temporary meteorological tower, in accordance with Part 15 of

Chapter 22.52.

...

-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION 367. Section 22.28.180 is hereby amended to read as follows:

22.28.180 Permitted Uses.

Premises in Zone C-3 may be used for:

- A. The following commercial uses, provided a commercial appearance is maintained by office or window display:

...

2. Services.

...

- Union halls.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION 378. Section 22.28.190 is hereby amended to read as follows:

22.28.190 Accessory Uses.

Premises in Zone C-3 may be used for:

...

C. The following additional accessory uses:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of

Chapter 22.52.

SECTION 389. Section 22.28.210 is hereby amended to read as follows:

22.28.210 Uses Subject to Permits.

Premises in Zone C-3 may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

...

~~Signs, as provided in Part 10 of Chapter 22.52.~~

~~Small-scale wind energy system, in accordance with Part 15 of~~

~~Chapter 22.52.~~

...

-- Tattoo parlor.

-- Temporary meteorological tower, in accordance with Part 15 of

Chapter 22.52.

...

-- Travel trailer parks as provided in Part 6 of Chapter 22.52.

-- Utility-scale solar energy facility, ground-mounted, in accordance

with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION ~~394~~40. Section 22.28.230 is hereby amended to read as follows:

22.28.230 Permitted Uses.

Premises in Zone C-M may be used for:

A. The following commercial uses:

...

2. Services.

...

-- Union halls.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION ~~404~~41. Section 22.28.240 is hereby amended to read as follows:

22.28.240 Accessory Uses.

Premises in Zone C-M may be used for:

...

C. The following additional accessory uses:

-- Signs, as provided in Part 10 of Chapter 22.52.

~~-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.~~

SECTION 412. Section 22.28.260 is hereby amended to read as follows:

22.28.260 Uses Subject to Permits.

Premises in Zone C-M may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

~~...~~

~~Skating rinks, ice or roller.~~

~~Small-scale wind energy system, in accordance with Part 15 of~~

~~Chapter 22.52.~~

~~...~~

~~-- Tattoo parlor.~~

~~-- Temporary meteorological tower, in accordance with Part 15 of~~

~~Chapter 22.52.~~

~~...~~

~~-- Travel trailer parks as provided in Part 6 of Chapter 22.52.~~

~~-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.~~

~~-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.~~

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION ~~423~~. Section 22.28.290 is hereby amended to read as follows:

22.28.290 Permitted Uses.

A. Premises in Zone C-R may be used for:

1. Services.

...

-- Tourist information centers.

-- Utility-scale solar energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION ~~434~~. Section 22.28.300 is hereby amended to read as follows:

22.28.300 Accessory Uses.

Premises in Zone C-R may be used for:

...

C. Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION ~~445~~. Section 22.28.320 is hereby amended to read as follows:

22.28.320 Uses Subject to Permits.

Premises in Zone C-R may be used for:

A. The following uses, provided a conditional use permit has first been obtained, as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit for:

~~...~~

~~--- Ski lifts, tows, runs, and warming huts.~~

~~--- Small-scale wind energy system, in accordance with Part 15 of~~

~~Chapter 22.52.~~

~~...~~

-- Telephone repeater stations.

~~-- Temporary meteorological tower, in accordance with Part 15 of~~

~~Chapter 22.52.~~

-- Theaters, drive-in.

~~-- Utility-scale solar energy facility, ground-mounted, in accordance~~

~~with Part 15 of Chapter 22.52.~~

~~-- Utility-scale wind energy facility, ground-mounted, in accordance~~

~~with Part 15 of Chapter 22.52.~~

~~-- Utility-scale wind energy facility, structure-mounted, in accordance~~

~~with Part 15 of Chapter 22.52.~~

~~...~~

SECTION 456. Section 22.32.110 is hereby amended to read as follows:

22.32.110 Accessory Uses.

Premises in Zone M-1 1/2 may be used for the following accessory uses:

~~...~~

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 467. Section 22.32.130 is hereby amended to read as follows:

22.32.130 Uses Subject to Permits.

Premises in Zone M-1 1/2 may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

~~...~~

~~-- Signs, outdoor advertising, subject to the provisions of Part 10 of Chapter 22.52.~~

~~-- Small scale wind energy system, in accordance with Part 15 of Chapter 22.52.~~

...

-- Tattoo parlor.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

-- Theaters and other auditoriums having a seating capacity exceeding 3,000 seats.

-- Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION 478. Section 22.32.170 is hereby amended to read as follows:

22.32.170 Accessory Uses.

Premises in Zone M-2 or Zone M-4 may be used for the following accessory uses:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of Chapter 22.52.

SECTION 489. Section 22.32.190 is hereby amended to read as follows:

22.32.190 Uses Subject to Permits.

A. The following uses, provided that a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit, except that in Zone M-4 a conditional use permit is required for uses in subdivisions 1, 2, and 3 of this subsection A only where the use listed is located within 300 feet of a public school, public park or a residential or A-1 Zone:

...

6. Uses.

~~Small-scale wind energy system, in accordance with Part 15
of Chapter 22.52.~~

-- ~~Temporary meteorological tower, in accordance with Part 15
of Chapter 22.52.~~

-- ~~Utility-scale solar energy facility, ground-mounted, in
accordance with Part 15 of Chapter 22.52.~~

-- ~~Utility-scale wind energy facility, ground-mounted, in
accordance with Part 15 of Chapter 22.52.~~

-- ~~Utility-scale wind energy facility, structure-mounted, in
accordance with Part 15 of Chapter 22.52.~~

...

SECTION ~~4950~~. Section 22.32.280 is hereby amended to read as follows:

22.32.280 Accessory Uses.

Premises in Zone M-2 1/2 may be used for the following accessory uses:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- ~~Small-scale solar energy system, in accordance with Part 15 of Chapter
22.52.~~

SECTION ~~504~~. Section 22.40.190 is hereby amended to read as follows:

22.40.190 Permitted Uses.

Premises in Zone R-R may be used for:

A. The following commercial uses:

...

2. Services.

...

-- Tourist information centers.

-- Utility-scale solar energy facility, structure-mounted, in

accordance with Part 15 of Chapter 22.52.

...

SECTION 512. Section 22.40.200 is hereby amended to read as follows:

22.40.200 Accessory Uses.

Premises in Zone R-R may be used for:

A. The following accessory uses:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

-- Small-scale solar energy system, in accordance with Part 15 of

Chapter 22.52.

...

SECTION 523. Section 22.40.220 is hereby amended to read as follows:

22.40.220 Uses Subject to Permits.

Premises in Zone R-R may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

...

~~Signs, as provided in Part 10 of Chapter 22.52.~~

~~Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.~~

...

-- Telephone repeater stations.

~~Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.~~

-- Townhouses, subject to the conditions of Section 22.56.255.

~~Utility-scale solar energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.~~

~~Utility-scale wind energy facility, ground-mounted, in accordance with Part 15 of Chapter 22.52.~~

~~Utility-scale wind energy facility, structure-mounted, in accordance with Part 15 of Chapter 22.52.~~

...

SECTION 534. Section 22.40.260 is hereby amended to read as follows:

22.40.260 Accessory Uses.

Premises in Zone W may be used for the following accessory uses:

...

-- Signs, as provided in Part 10 of Chapter 22.52.

~~Small-scale solar energy system, structure-mounted, in accordance with Part 15 of Chapter 22.52.~~

SECTION 545. Section 22.40.280 is hereby amended to read as follows:

22.40.280 Uses Subject to Permits.

Premise in Zone W may be used for:

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

...

-- Restaurants and other eating establishments, including food take-out.

-- Small-scale solar energy system, ground-mounted, in accordance with Part 15 of Chapter 22.52.

...

SECTION ~~556~~. Section 22.40.410 is hereby amended to read as follows:

22.40.410 Permitted Uses.

...

C. Permitted uses in Zone O-S, accessory to a principal use listed under Subsection B of this section, Section 22.40.420.B, Section 22.40.430.A, and Section 22.40.430.B: Small-scale solar energy system, structure-mounted, in accordance with Part 15 of Chapter 22.52.

SECTION ~~567~~. Section 22.40.430 is hereby amended to read as follows:

22.40.430 Uses Subject to Permits.

A. The following uses, provided a conditional use permit has first been obtained as provided in Part 1 of Chapter 22.56, and while such permit is in full force and effect in conformity with the conditions of such permit:

...

-- Energy generating or storage devices, including but not limited to solar, wind or geothermal devices.

...

-- Ski lifts, tows, runs, and warming huts on a lot or parcel of land having as a condition of use an area of not less than five acres.

-- Small-scale solar energy system, ground-mounted, in accordance with Part 15 of Chapter 22.52.

-- Small-scale wind energy system, in accordance with Part 15 of Chapter 22.52.

...

-- Telephone repeater stations.

-- Temporary meteorological tower, in accordance with Part 15 of Chapter 22.52.

...

SECTION 578. Section 22.44.113 is hereby amended to read as follows:

22.44.113 Agua Dulce Community Standards District.

...

D. Community-wide Development Standards.

...

8. Significant Ridgeline Protection. For purposes of this section, ridgelines are defined as the line formed by meeting the tops of sloping surfaces of land, and significant ridgelines are defined as ridgelines which are highly visible and dominate the landscape. The locations of the significant ridgelines within this CSD are shown on

the map following this section and the criteria used for their designation are provided in the appendix following this section.

a. The highest point of any structure, excluding chimneys, rooftop antennas, amateur radio antennas, roof-mounted solar panels, and small-scale wind energy ~~conversion~~-systems, shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline; and

...

SECTION 589. Section 22.44.127 is hereby amended to read as follows:

22.44.127 Altadena Community Standards District.

...

C. Community-wide Development Standards.

...

2. Hillside Management.

...

d. Significant Ridgeline Protection. Ridgelines are defined as the line formed by the meeting of the tops of sloping surfaces of land. Significant Ridgelines are highly visible ridgelines that dominate the landscape. The locations of the significant ridgelines within the CSD are shown on the map following this Section.

i. The highest point of any structure shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radio antennas, roof-mounted solar panels, and small-scale wind energy ~~conversion~~-systems.

...

SECTION ~~5960~~ 5960. Section 22.44.133 is hereby amended to read as follows:

22.44.133 Santa Monica Mountains North Area Community Standards District.

...

D. Community-wide Development Standards.

...

5. Significant Ridgeline Protection.

...

b. The highest point of a structure that requires any permit shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, small-scale wind energy ~~conversion~~ systems, and amateur radio antennas.

...

SECTION ~~604~~ 604. Section 22.44.143 is hereby amended to read as follows:

22.44.143 Elizabeth Lake and Lake Hughes Community Standards District.

...

D. Community-Wide Development Standards.

...

4. Utilities.

...

b. Utility Devices.

i. Small-Scale Solar Energy Systems ~~Utility Devices~~.

(A) Ground-mounted small-scale solar energy systems shall be placed at least five (5) feet from the nearest property line; and

(B) Ground-mounted small-scale solar energy systems less than ten (10) feet in height shall be set back an additional three (3) feet from the nearest property line for every one foot less than ten (10) feet in height.

...

10. Significant Ridgeline Protection.

...

b. The highest point of a structure shall be located at least one hundred-fifty (150) vertical feet and one hundred-fifty (150) horizontal feet in a southerly direction from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radios, and small-scale wind energy ~~conversion~~-systems.

c. No portion of any structure shall be located less than fifty (50) horizontal feet in a northerly direction from a significant ridgeline, excluding amateur radio antennas, chimneys, rooftop antennas, and small-scale wind energy ~~conversion~~-systems.

...

SECTION 612. Section 22.44.144 is hereby amended to read as follows:

22.44.144 San Francisquito Canyon Community Standards District.

...

D. Community-wide Development Standards.

...

10. Significant Ridgeline Protection.

...

b. The highest point of a structure shall be located at fifty (50) vertical feet and fifty (50) horizontal feet from a significant ridgeline, excluding chimneys, rooftop antennas, amateur radio antennas, and small-scale wind energy ~~conversion~~ systems.

c. Any modification to subsection D.10.b. shall require a minor conditional use permit, as provided in Section 22.56.085. In approving such permit, the ~~Director~~, Hearing Officer, or Commission shall make the following findings in addition to those required by Section 22.56.090:

...

SECTION ~~623~~623. Part 15 of Chapter 22.52 is hereby amended to read as follows:

PART 15

NON-COMMERCIAL WIND ENERGY CONVERSION SYSTEMS AND TEMPORARY METEOROLOGICAL TOWERS RENEWABLE ENERGY

SECTIONS:

22.52.1600	Purpose.
<u>22.52.1605</u>	<u>Applicability.</u>
22.52.1610	Definitions Application Materials.
<u>22.52.1615</u>	<u>Application Materials.</u>
<u>22.52.1620</u> 2015	<u>Standards for Small-Scale Solar Energy Systems.</u>
22.52.1625 0	<u>Development Standards for Utility-Scale Solar Energy Facilities.</u>
22.52.1625	Standards for Temporary Meteorological Towers.
<u>22.52.1630</u>	<u>Standards for Temporary Meteorological Towers (Temp Met Towers) and Small-Scale Wind Energy Systems.</u>
22.52.1635 0	<u>Conditional Use Permit</u> Director's Review – Temporary Meteorological Towers (Temp Met Towers) Standards for Small Scale Wind Energy Systems.
22.52.1635	Standards for Utility Scale Wind Energy Facilities.
22.52.1640	<u>Conditional Use Permit – Small-Scale Wind Energy Systems</u> Non-commercial wind energy conversion system (WECS-N).
<u>22.52.1645</u>	<u>Standards for Utility-Scale Wind Energy Facilities.</u>
<u>22.52.1650</u>	<u>Modifications.</u>
<u>22.52.1654</u> 5	<u>Uses Subject to Permits – Minor Conditional Use Permit.</u>
<u>22.52.1665</u> 0	<u>Uses Subject to Permits – Aviation Review.</u>
<u>22.52.1665</u> 5	<u>Uses Subject to Permits – Findings.</u>

22.52.16760 Uses Subject to Permits – Conditions of Approval.

22.52.16765 Enforcement Procedures.

22.52.1600 Purpose.

~~The purpose of Part 15 is to provide a uniform and comprehensive set of standards, conditions, and procedures for the placement of non-commercial wind energy conversion systems (WECS-N) and temporary meteorological towers (Temp Met Towers) on agriculturally and residentially zoned lots in unincorporated areas of Los Angeles County to encourage the generation of electricity for on-site use, thereby reducing the consumption of electrical power supplied by utility companies. It is the intent of these regulations to assure that such facilities are designed and located in a manner that minimizes visual and safety impacts on the surrounding community, while reducing significant regulatory barriers to the construction of WECS-N and Temp Met Towers. The provisions of this Part 15 shall not apply to WECS-N and Temp Met Towers that were lawfully established prior to the effective date of the ordinance codified in Part 15.~~

This Part 15 establishes regulations and permit requirements that support and facilitate the development of small-scale solar energy systems, small-scale wind energy systems, utility-scale solar energy facilities, utility-scale wind energy facilities, and temporary meteorological towers (Temp Met Towers) in a manner that protects public health, safety, and welfare and minimizes significant impacts to the environment.

22.52.1605 Applicability.

Except as otherwise provided herein, for any Temp Met Tower, applicability shall be pursuant to Section 22.52.1635. For any small-scale wind energy system, applicability shall be pursuant to Section 22.52.1640.

A. Applicability of this Part 15. The provisions of this Part 15 shall apply to the development of any small-scale solar energy system, ~~small-scale wind energy system,~~ utility-scale solar energy facility, ~~or utility-scale wind energy facility,~~ ~~or temporary meteorological tower.~~

B. Applicability of zone and supplemental district regulations. All provisions of the zone and any supplemental district in which a small-scale solar energy system, ~~small-scale wind energy system,~~ utility-scale solar energy facility, ~~or utility-scale wind energy facility,~~ ~~or temporary meteorological tower~~ is located shall apply as follows:

1. For a small-scale solar energy system ~~or small-scale wind energy system,~~ where a provision of the zone or supplemental district regulates the same matter as this Part 15, the provision of this Part 15 shall apply.

2. For a utility-scale solar energy facility, ~~or utility-scale wind energy facility,~~ ~~or temporary meteorological tower,~~ where a provision of the zone or supplemental district regulates the same matter as this Part 15, the more restrictive provision shall apply, except for wind tower height, height for structure-mounted facilities, and perimeter fence height, as established in this Part 15.

C. Exemption. The provisions of this Part 15 shall not apply to:

1. To a ~~Any~~ small-scale solar energy system, ~~small-scale wind energy system,~~ utility-scale solar energy facility, ~~or utility-scale wind energy facility,~~ ~~or~~

~~temporary meteorological tower~~ legally established or permitted prior to the effective date of the ordinance establishing this Part 15.

2. ~~Where these provisions~~ preempted by regulation under the jurisdiction of the California Public Utilities Commission ~~or preempted by other applicable law.~~

D. Prohibition. Ground-mounted utility-scale solar energy facilities and ground-mounted utility-scale wind energy facilities shall be prohibited within adopted Significant Ecological Areas designated in the General Plan and Economic Opportunity Areas designated in the Antelope Valley Area Plan.

E. Existing projects. The provisions of this Part 15 shall apply to:

1. Any modification(s) that would substantially increase the physical size, height, or footprint of a previously legally established or permitted small-scale solar energy system, ~~small-scale wind energy system,~~ utility-scale solar energy facility, ~~or utility-scale wind energy facility, or temporary meteorological tower;~~

2. Any modification(s) that would substantially change the type of equipment used by the previously legally established or permitted small-scale solar energy system, ~~small-scale wind energy system,~~ utility-scale solar energy facility, ~~or utility-scale wind energy facility, or temporary meteorological tower,~~ except for replacement of equipment for maintenance purposes; and

3. Any modification(s) that would convert a project generating energy primarily for on-site use into a project generating energy primarily for off-site use or a project generating energy primarily for off-site use into a project generating energy primarily for on-site use.

22.52.1610 Definitions~~Application Materials~~.

As used in Part 15, the following definitions shall apply:

- A. Guy Wires. Wire or cable used in tension to support a tower.
- B. Tower. The vertical component of a ~~WECS-N~~small-scale wind energy system that elevates the wind turbine generator and attached blades above the ground, or the vertical component of a Temp Met Tower that elevates the wind measuring devices above the ground.
- C. Wind Turbine Generator. The component of a ~~WECS-N~~small-scale wind energy system that transforms mechanical energy from the wind into electrical energy.

22.52.1615 Application Materials.

- A. If a site plan review is required, the applicant shall submit the following:
 - 1. All materials and information as listed in Section 22.56.1680;
 - 2. A site plan that in addition to the features as listed in subsection F of Section 22.56.1680 depicts solar array footprint and height,
 - 3. A minimum of six color photographs, displaying various angles illustrative of the project area, with a photo-key map.
- B. Except for Temp Met Towers and small-scale wind energy systems, if a Minor Conditional Use Permit or Conditional Use Permit is required, the applicant shall submit the following:
 - 1. All materials and information required by Section 22.56.030 and a Burden of Proof statement that substantiates the findings required by Section 22.52.1655;

2. A minimum of six color photographs, displaying various angles illustrative of the project area, with a photo-key map;

3. Color photo simulations of the project area before construction of the project and after construction of the project;

4. Utility-scale solar energy facilities, ground-mounted. The following additional materials shall be required:

a. A site plan that in addition to the features required by subsection A.7 of Section 22.56.030 depicts:

- i. Solar array footprint and height,
- ii. Solar array setbacks from all property lines,
- iii. Area and amount of grading and site disturbance,
- iv. Topography of the property,
- v. Watercourses on the property, if any
- vi. Access roads,
- vii. Required fencing,
- viii. Required signage, if any,
- viii. Required lighting, if any,
- ix. Transmission lines,
- x. Significant ridgelines on the property, if any,

b. Detailed landscaping plan that depicts:

- i. Required perimeter fencing, if any,
- ii. Proposed plant species palette, including number and

size,

iii. Proposed water usage for planting and maintaining proposed landscaping.

iv. Proposed timing and phasing of proposed landscaping.

c. Decommissioning plan.

d. Hydrology study.

e. Conceptual dust control plan.

f. Glare study.

g. Description of amount and source of water necessary for the construction and operation of the project;

~~5. Temporary meteorological towers. The following additional materials shall be required:~~

~~a. A site plan that in addition to the features required by subsection A.7 of Section 22.56.030 depicts:~~

~~i. FAA required safety lights, if any;~~

~~ii. Ground mounted temporary meteorological towers additionally depict:~~

~~(A) Required aviation related paint markings for ground mounted temporary meteorological towers;~~

~~(B) Climbing apparatus, if any;~~

~~b. An elevation plan that depicts wind tower height;~~

~~6. Small scale wind energy systems. The following additional materials shall be required:~~

~~a. A site plan that in addition to the features required by subsection A.7 of Section 22.56.030 depicts:~~

~~i. FAA required safety lights, if any,~~
~~ii. Manual and automatic wind tower blade overspeed controls,~~

~~iii. Ground mounted small scale wind energy systems additionally depict:~~

~~(A) Required aviation related paint markings, if any,~~

~~(B) Climbing apparatus, if any,~~

~~(C) Blade clearance from the finished grade and required signage, if any;~~

~~b. An elevation plan that depicts wind tower height(s);~~

57. Utility-scale wind energy facilities. A site plan that in addition to the features required by subsection A.7 of Section 22.56.030 depicts:

a. FAA-required safety lights, if any,

b. Manual and automatic wind tower blade overspeed controls,

c. Wind tower footprint and height,

d. Structure-mounted utility-scale wind energy facilities with wind towers mounted to the roof of a building additionally depicts wind tower setbacks from the perimeter of a roof,

e. Ground-mounted utility-scale wind energy facilities. A site plan that in addition to the features required by subsection B.4 of this Section depicts:

- i. Climbing apparatus, if any,
- ii. Required aviation-related paint markings if any,
- iii. Blade clearance from the finished grade,
- iv. Runway Protection Zones on the property, if any,
- v. Airport Influence Areas on the property, if any;

68. Additional Materials. The Director may request additional materials at the time of application submission or during review by the Department if the Director determines such materials are necessary for adequate evaluation.

C. For a Temp Met Tower, the applicant shall submit all materials and information as listed in Section 22.52.1635.

D. For a small-scale wind energy system, the applicant shall submit all materials and information as listed in Section 22.52.1640.

22.52.162015 Standards for Small-Scale Solar Energy Systems.

A. Conformance with State and County requirements. A small-scale solar energy system shall be in conformance with the California Solar Rights Act (California Civil Code Sections 714 et seq. and as may be amended from time to time), the California Solar Shade Control Act (California Public Resources Code Sections 25980 et seq. and as may be amended from time to time), and any other applicable State or County Code requirements.

B. Structure-mounted. The combined height of a structure and structure-mounted small-scale solar energy system shall not exceed the height limit of the zone by more than five feet.

C. Ground-mounted.

1. Height. The height of the solar array shall not exceed 15 feet.

2. Maximum lot coverage. The maximum lot coverage for solar arrays and any solar or wind energy accessory structures, shall be 25 percent of the lot or parcel of land or 2.5 acres, whichever is lesser.

22.52.16250 ~~Development~~ Standards for Utility-Scale Solar Energy Facilities.

A. Accessory structures. Accessory structures constructed for the purposes of operating and maintaining the utility-scale solar energy facility must meet all applicable development standards of the zone.

B. Structure-mounted. Structure-mounted utility-scale solar energy facilities shall be subject to the additional standards:

1. Height. The combined height of a structure and structure-mounted utility-scale solar energy facility shall not exceed the height limit of the zone by more than five feet.

2. Setbacks. If mounted to a building, setbacks from the perimeter of the roof shall be:

a. Three feet on residential buildings; or

b. Four feet on non-residential or mixed use buildings.

C. Ground-mounted. Ground-mounted utility-scale solar energy facilities shall be subject to the additional standards:

1. Coastal Zone. Within the Coastal Zone, the placement of any utility-scale solar energy facility shall comply with the applicable Local Coastal Plan.

2. Fencing. Fencing shall be required around the perimeter of the facility. In addition to the California Public Utilities Commission and United States Occupational Safety and Health Administration fencing guidelines for substations, all fencing shall comply with the following, except as otherwise required by Public Works to maintain minimum corner sight distance:

- a. Opaque and non-opaque fences are permitted.
- b. Fencing up to eight feet in height is permitted.
- c. Fencing shall not be located within 15 feet of a public right-of-way but may be located within the required setback area.
- d. Facility perimeter fencing shall incorporate small animal-permeable design.

3. Height. Height of the solar array shall not exceed 25 feet.

4. Lighting. In addition to Part 9 of Chapter 22.44, outdoor lighting within the Rural Outdoor Lighting District, which is limited to that required for safety and security, shall be shielded and directed downward to avoid light trespass, and shall consist of:

- a. Motion sensors for entry-lighting to the on-site equipment structures and buildings; and
- b. Light-sensor or motion-sensor lighting for the main facility access gate, operations and maintenance building doorways, and any parking areas of facilities with operation and maintenance buildings.

5. Setbacks. Setbacks from the property line shall be:

- a. A minimum of 30 feet in agricultural zones; or

b. As provided in the base zone for all non-agricultural zones.

6. Significant ridgelines. The highest point of a utility-scale solar energy facility shall be located at least 50 vertical feet and 50 horizontal feet from a significant ridgeline identified in the General Plan, in an applicable Area or Community Plan, or in an applicable Community Standards District.

7. Signs. One ground-mounted or pole-mounted project identification sign shall be located at each temporary and permanent ingress and egress point. Signs shall include owner and emergency contact information. No other signs shall be posted at the facility other than safety, directional, and required warning signs as outlined in Part 10 of Section 22.52.

22.52.1630 Standards for Temporary Meteorological Towers (Temp Met Towers) and Small-Scale Wind Energy Systems.

Small-scale wind energy systems~~WECS-N~~ and Temp Met Towers shall be subject to all applicable regulations of the zone in which they are proposed, except that the following standards shall take precedence over regulations of the zone to the extent that they differ from the regulations of the zone.

A. The following shall be deemed to be ~~conditions of approval~~ development standards of every Temp Met Tower and every small-scale wind energy system~~WECS-N~~ unless specifically modified pursuant to Section 22.52.1640.

1. Minimum lot size. The minimum lot or parcel size shall be 0.5 acres.

2. Maximum tower height. Tower height shall be measured from the ground to the top of the tower, excluding the wind turbine generator, blades, and wind-measuring devices, as applicable.

a. The tower shall not exceed a height of 35 feet above grade for lots or parcels less than one acre in size.

b. The tower shall not exceed a height of 65 feet above grade for lots or parcels from one acre to less than two acres in size.

c. The tower shall not exceed a height of 85 feet above grade for lots or parcels two acres or greater in size.

3. Location.

a. The minimum distance between a small-scale wind energy system~~WECS-N~~ or Temp Met Tower, ~~excluding guy wires and their anchors,~~ and any property line or road right-of-way, shall be the distance which is the equivalent to the height of the facility, including any wind turbine generator, wind-measuring devices, and the highest vertical extent of any blades, provided that the required distance shall also comply with any applicable fire setback requirements pursuant to section 4290 of the Public Resources Code.

b. No part of a small-scale wind energy system~~WECS-N~~ or Temp Met Tower shall be located within or over drainage, utility, or other established easements, or on or over property lines.

c. Safe clearance shall be provided between a small-scale wind energy system~~WECS-N~~ or Temp Met Tower and all structures and trees.

4. Design. A small-scale wind energy system~~WECS-N~~ or Temp Met Tower must be designed and constructed in accordance with the following:

a. Colors. The colors used in the construction materials or finished surface shall be muted and visually compatible with surrounding development.

b. Lighting. A safety light that meets Federal Aviation Administration standards shall be required for all facilities exceeding 50 feet in height, including any wind turbine generator, wind-measuring devices, and the highest vertical extent of any blades. A safety light may also be required on shorter towers. All required lights shall be shielded from adjacent properties, and no other lights shall be placed upon the tower.

c. Climbing Apparatus. All climbing apparatus must be located at least 12 feet above the ground, and the tower must be designed to prevent climbing within the first 12 feet.

5. Signs. One sign, limited to 18 inches in length and one foot in height, shall be posted at the base of the tower; the sign shall include a notice of no trespassing, a warning of high voltage, and the phone number of the property owner to call in the event of an emergency.

6. Compliance with aviation-safety standards. The director shall distribute copies of the proposed site plan, elevation plan, and location map to aviation-related regulatory agencies and facilities with flight operations in the vicinity, as determined by the director, such as the ~~Federal Aviation Administration (FAA)~~, County Forester and Fire Warden, County Sheriff, Edwards Air Force Base, and Air Force Plant

42, as applicable. Any comments received within 30 days of distribution will be considered in establishing conditions, as appropriate.

7. Displacement of parking prohibited. The location of a small-scale wind energy system~~WECS-N~~ or Temp Met Tower shall not result in the displacement of required parking as specified in Part 11 of Chapter 22.52.

8. Maintenance. Facilities shall be maintained in operational condition that poses no potential safety hazards.

9. Removal. Within six (6) months after the operation of a small-scale wind energy system~~WECS-N~~ or Temp Met Tower has ceased or the permit therefore has expired, whichever occurs first, the permittee shall remove the facility, clear the site of all equipment, and restore the site as nearly as practicable to its condition prior to the installation of the facility. Failure to remove such facility as required above shall constitute a public nuisance. Prior to installation of any such facility, the permittee shall post a performance security, satisfactory to the director of public works, in an amount and form sufficient to cover the cost of the removal of the facility as provided herein. In the event the facility is not so removed within 90 days after the permittee's receipt of notice requiring removal, the county may itself cause the facility to be removed, and the permittee shall be required to pay the county's costs of removal.

10. Guy wires. The use of guy wires shall be prohibited.

B. In addition to the development standards specified in subsection A of this section, the following standards shall be deemed to be conditions of approval of every small-scale wind energy system~~WECS-N~~, unless specifically modified pursuant to Section 22.52.1640.

1. Clearance of blade above ground level. No portion of a small-scale wind energy system~~WECS-N~~ blade shall extend within 20 feet of the ground.

2. Automatic overspeed controls. A small-scale wind energy system~~WECS-N~~ shall be equipped with manual and automatic overspeed controls to limit the blade rotation speed to within the design limits of the small-scale wind energy system~~WECS-N~~.

~~3. Safety Wires. Safety wires shall be installed on the turnbuckles on guy wires of guyed towers.~~

34. Noise. Noise from a small-scale wind energy system~~WECS-N~~ shall not exceed 60 dBA SEL (single event noise level), as measured at the closest neighboring inhabited dwelling, except during short-term events such as utility outages and severe windstorms.

45. Visual Effects.

a. No small-scale wind energy system~~WECS-N~~ shall be placed or constructed in such a way that it silhouettes against the skyline above any major ridgeline when viewed from any designated major, secondary, or limited secondary highway on the County Highway Plan, from any designated scenic highway, or from any significantly inhabited area, as determined by the director. As used in Part 15, major ridgeline shall mean any ridgeline that surrounds or visually dominates the landscape, as determined by the director, due to its:

i. Size in relation to the hillside or mountain terrain of which it is a part;

ii. Silhouetting appearance against the sky, or appearance as a significant natural backdrop;

iii. Proximity to and visibility from existing development or major transportation corridors; or

iv. Significance as an ecological, historical or cultural resources, including a ridgeline that provides a natural buffer between communities or is part of a park or trails system.

b. The top of a small-scale wind energy system~~WECS-N~~, including the wind turbine generator and the highest vertical extent of the blades, shall be located at least 25 vertical feet below the top of any adjacent major ridgeline, and a small-scale wind energy system~~WECS-N~~ shall be located at least 100 horizontal feet from any adjacent major ridgeline.

c. Any small-scale wind energy system~~WECS-N~~ that is placed within the viewshed of a designated Major, Secondary, Limited Secondary, or Scenic Highway shall be assessed for its visual effects, and appropriate conditions relating to siting, buffers, and design of the facility shall be applied.

d. The placement of a small-scale wind energy system~~WECS-N~~ shall not obstruct views of the ocean from any residence or highway, and shall otherwise conform to the policies and standards of any applicable Local Coastal Plan.

56. Restriction on use of electricity generated by a small-scale wind energy system~~WECS-N~~. A small-scale wind energy system~~WECS-N~~ shall be used exclusively to supply electrical power for on-site consumption, except that when a parcel on which a small-scale wind energy system~~WECS-N~~ is installed also receives electrical

power supplied by a utility company, excess electrical power generated by the small-scale wind energy system~~WECS-N~~ and not presently needed for on-site use may be used by the utility company in exchange for a reduction in the cost of electrical power supplied by that company to the parcel for on-site use, as long as no net revenue is produced by such excess electrical power.

6. Impacts to Birds and Bats. The following shall apply for all ground-mounted small-scale wind energy systems.

a. Use of trellis-style towers is prohibited.

b. Buffers. The following buffers shall apply to reduce impacts to birds and bats:

i. No part of the ground-mounted small-scale wind energy system shall be closer than 300 feet or five times the tallest wind tower height including the wind turbine generator, wind-measuring devices, and highest vertical extent of any blades, whichever is greater, from the following:

(A) Bat roosting sites;

(B) Recorded open space easements and publicly designated preserve areas; and

(C) Riparian areas and wetland.

(ii) No part of the ground-mounted small-scale wind energy system shall be closer than one mile from a known golden eagle nest site.

c. Tower base. The vegetation within a 10 foot radius of the base of a wind tower shall be mowed and appropriate measures shall be applied to prevent re-growth, but removal of existing vegetation root systems shall be prohibited.

~~22.52.1625 Standards for Temporary Meteorological Towers.~~

~~A. Conformance with State and County Requirements. Temporary meteorological towers shall be in compliance with Government Code sections 65893 through 65899 as may be amended from time to time, and any other applicable State and County requirements.~~

~~B. All temporary meteorological towers shall be subject to the following standards:~~

~~1. Aviation safety. Wind tower lighting shall be prohibited unless required by the Federal Aviation Administration or other applicable law. Any aviation-related agency or the Department may impose additional requirements as deemed necessary.~~

~~2. Maximum separation. Wind towers must be separated from each other by the safe industry practice depicted in Figure 22.52.1625-A, below.~~

**~~FIGURE 22.52.1625-A SEPARATION STANDARDS
FOR TEMPORARY METEOROLOGICAL TOWERS~~**

**~~FIGURE 22.52.1625-A
HERE~~**

~~C. Structure mounted. Structure mounted temporary meteorological towers shall be subject to the additional standard that the combined height of a structure and structure mounted wind tower shall not exceed the height limit of the zone by more than five feet.~~

~~D. Ground mounted. Ground mounted temporary meteorological towers shall be subject to the additional standards:~~

~~1. Aviation Safety. Wind towers of less than 200 feet in height, measured from finished grade shall be marked with alternating bands of aviation orange and white paint.~~

~~2. Climbing apparatus. All climbing apparatus shall be located at least 12 feet above the finished grade, and all wind towers shall be designed to prevent climbing within the first 12 feet of the wind tower height, as measured from finished grade.~~

~~3. Impact to birds and bats. The use of guy wires shall be prohibited for all ground-mounted temporary meteorological towers.~~

~~4. Setback. The minimum setback for a wind tower shall be as depicted in Table 22.52.1625-A, unless a greater setback is necessary to comply with any applicable fire setback requirements pursuant to Public Resources Code section 4290.~~

<u>TABLE 22.52.1625-A – SETBACK REQUIREMENTS FOR TEMPORARY METEOROLOGICAL TOWERS</u>	
SETBACK FROM	MINIMUM DISTANCE
On-site or Off-site Residence or Habitable Structure	1.5 x tallest wind tower height
Public Road or Highway	As required by Public Works to meet sight distance and minimum setback requirements from traveled lanes
Above Ground Transmission Line, Public Access Easement, or Public Trail	1.25 x tallest wind tower height
Property Line	1.25 x tallest wind tower height
On-site or Off-site Buildings Other Than a Residential Structure	1 x tallest wind tower height
Trees	As required by the Fire

	Department
Scenic Drives, Scenic Highways and Scenic Routes as identified in the General Plan, applicable Area or Community Plan, or applicable CSD	1,000 feet

~~5. Maximum number. More than one wind tower may be located on the same property if all of the location requirements and standards of this Part 15 are met for each wind tower. A maximum of two wind towers are permitted for each five gross acres of land.~~

~~6. Maximum wind tower height. The maximum wind tower height shall not exceed the height limit as depicted in Figure 22.52.1625-B:~~

~~a. A total of 35 feet measured from the finished grade to the top of the blade in the vertical position for parcels of less than one gross acre in size;~~

~~b. A total of 65 feet measured from the finished grade to the top of the blade in the vertical position for parcels from one gross acre to less than two gross acres in size; and~~

~~c. A total of 85 feet measured from the finished grade to the top of the blade in the vertical position for parcels of two gross acres or greater in size.~~

FIGURE 22.52.1625-B – HEIGHT STANDARDS FOR TEMPORARY METEOROLOGICAL TOWERS

**~~FIGURE 22.52.1625-B
HERE~~**

**22.52.16350 Conditional Use Permit~~Director's Review – Temporary~~
~~Meteorological Towers (Temp Met Towers)~~Standards for Small Scale Wind
Energy Systems.**

A. Applicability. The provisions of Part 12 of Chapter 22.56 shall apply to an application for a conditional use permit~~director's review~~ of a Temp Met Tower, except as may be modified by Part 15.

B. Application – Filing information and documents required. In addition to the information, documents, and fee specified in Part 1 of Section 22.56-1680, an application for a conditional use permit~~director's review~~ of a Temp Met Tower shall include:

1. Drawings to scale of the structure, including the tower, base, wind-measuring devices, and footings,~~and guy wires~~, if any.

2. Six copies of the proposed site plan, elevation plan, and location map depicting the project location on USGS topographic sheets. Additional copies of these materials may be required by the director. On each set of the required site plan and elevation plan, the applicant shall depict the type and location of any safety lights and energy storage devices.

C. Approval by Director. The director shall approve an application for a conditional use permit~~director's review~~ of a Temp Met Tower where the director makes the findings required by Section 22.56.04-1690 and also finds that the proposed project complies with all of the development standards for Temp Met Towers specified in Section 22.52.16320.

D. Conditions of Approval. In approving an application for a conditional use permit for director's review of a Temp Met Tower, the director shall impose as conditions all applicable development standards specified in Section 22.52.163~~20~~²⁰ and any additional conditions the director determines to be necessary to insure that such use will be in accord with the findings specified in subsection C.

~~A. In addition to the standards required under Section 22.52.1625, the following standards shall also apply to all small scale wind energy systems:~~

~~1. Automatic overspeed controls. A small scale wind energy system shall be equipped with manual and automatic overspeed controls to limit the blade rotation speed to within the design limits of such system.~~

~~2. Coastal Zone. Within the Coastal Zone, the placement of any small scale wind energy system shall comply with the applicable Local Coastal Plan.~~

~~3. Significant ridgelines. The highest point of a small scale wind energy system shall be located at least 50 vertical feet and 300 horizontal feet from a significant ridgeline identified in the General Plan, in an applicable Area or Community Plan, or within an applicable Community Standards District.~~

~~4. Slope setbacks in Hillside Management Areas. The project shall map the location of Hillside Management Area, as defined in Section 22.08.080, located within a 500 foot radius of any proposed small scale wind energy system where the system exceeds 50 vertical feet as measured from the base of the slope where it equals or exceeds 25% slope. For any of these mapped areas, all small scale wind energy systems shall be located at least 300 horizontal feet from the maximum elevations,~~

~~which are the highest points where the land slopes away, and the highest point of the small scale wind energy system shall not protrude above those maximum elevations.~~

~~B. Structure mounted. Structure mounted small scale wind energy systems shall be subject to the additional standard that the combined height of a structure and structure mounted wind tower shall not exceed the height limit of the zone by more than five feet.~~

~~C. Ground mounted. Ground mounted small scale wind energy systems shall be subject to the additional standards:~~

~~1. Blade clearance. No portion of a blade shall extend within 20 feet of the finished grade.~~

~~2. Impacts to birds and bats:~~

~~a. Use of trellis style towers is prohibited.~~

~~b. Buffers. The following buffers shall apply to reduce impacts to birds and bats:~~

~~i. No part of the ground mounted small scale wind energy system shall be closer than 300 feet or five times the tallest wind tower height, whichever is greater, from the following:~~

~~(A) Bat roosting sites;~~

~~(B) Recorded open space easements and publicly designated preserve areas; and~~

~~(C) Riparian areas and wetlands.~~

~~ii. No part of the ground mounted small scale wind energy system shall be closer than one mile from a known golden eagle nest site.~~

~~3. Signs. One sign, limited to 18 inches in length and 12 inches in height, shall be posted at the base of each wind tower. The sign shall include a note of no trespassing, a warning of high voltage, and the phone number of the property owner to call in the event of an emergency.~~

~~22.52.1635 Standards for Utility Scale Wind Energy Facilities.~~

~~A. In addition to the standards required under Section 22.52.1625 and Section 22.52.1630, the following standards shall also apply to all utility scale wind energy facilities:~~

~~1. Accessory structures. Accessory structures constructed for the purposes of operating and maintaining the utility scale wind energy facility must meet all applicable development standards of the zone.~~

~~2. Aviation safety.~~

~~a. A utility scale wind energy facility shall not be located within the Runway Protection Zone of any airport, as depicted in the County's airport land use compatibility plans.~~

~~b. A utility scale wind energy facility shall not penetrate the imaginary surfaces (primary, approach, transitional, horizontal, and conical surfaces) as defined by the Federal Aviation Administration Federal Aviation Regulations Part 77 to protect the use of navigable airspace.~~

~~3. Lighting. In addition to Part 9 of Chapter 22.44, outdoor lighting within the Rural Outdoor Lighting District, which is limited to that required for safety and security, shall be shielded and directed downward to avoid light trespass, and shall~~

~~consist of motion sensors for entry lighting to the on-site equipment structures and buildings.~~

~~B. Structure mounted. Structure mounted utility scale wind energy facilities shall be subject to the additional standards:~~

~~1. Height. The combined height of a structure and structure mounted utility scale wind energy facility shall not exceed the height limit of the zone by more than five feet.~~

~~2. Setbacks. If mounted to a building, setbacks from the perimeter of the roof shall be:~~

~~a. Three feet on residential buildings; or~~

~~b. Four feet on non-residential or mixed use buildings.~~

~~C. Ground mounted. Ground mounted utility scale wind energy facilities shall be subject to the additional standards:~~

~~1. Aviation safety. Wind towers of less than 200 feet in height, measured from finished grade shall be marked with alternating bands of aviation orange and white paint.~~

~~2. Blade clearance. No portion of a utility scale wind energy facility blade shall extend within 30 feet from the finished grade.~~

~~3. Climbing apparatus. All climbing apparatus shall be located at least 12 feet above the finished grade, and all wind towers shall be designed to prevent climbing within the first 12 feet of the wind tower height, measured from finished grade.~~

~~4. Fencing. In addition to the California Public Utilities Commission and United States Occupational Safety and Health Administration fencing guidelines for~~

~~substations, all fencing shall comply with the following, except as otherwise required by Public Works to maintain minimum corner sight distance:~~

- ~~a. Opaque and non-opaque fences may be permitted.~~
- ~~b. Fencing up to eight feet in height is permitted regardless of any other fencing standards.~~
- ~~c. Fencing shall not be located within 15 feet of a public right-of-way but may be located within the required setback area.~~
- ~~d. Facility perimeter fencing shall incorporate small animal permeable design.~~

~~5. Impacts to birds and bats.~~

- ~~a. Design. Use of trellis-style towers is prohibited.~~
- ~~b. Buffers. The following buffers shall apply to reduce impacts to birds and bats:~~

~~i. No part of a ground-mounted utility scale wind energy facility shall be closer than 0.25 miles from the following:~~

- ~~(A) Adopted Significant Ecological Areas;~~
- ~~(B) Recorded open space easements and publicly designated preserve areas; and~~
- ~~(C) Riparian areas and wetlands.~~

~~ii. No part of a ground-mounted utility scale wind energy facility shall be closer than 0.5 miles from bat roosting sites.~~

~~iii. No part of a ground-mounted utility scale wind energy facility shall be closer than one mile from a known golden eagle nest site.~~

~~6. Lighting. In addition to Part 9 of Chapter 22.42, for facilities within the Rural Outdoor Lighting District, light sensor or motion sensor lighting shall be required for the main facility access gate, operations and maintenance building doorways, and any parking areas of facilities with operation and maintenance buildings.~~

~~7. Setback. The minimum setback for a utility scale wind energy facility shall be as depicted in Table 22.52.1635-A unless a greater setback is required to comply with any applicable fire setback requirements pursuant to the Public Resources Code section 4290.~~

TABLE 22.52.1635-A – SETBACK REQUIREMENTS FOR GROUND-MOUNTED UTILITY-SCALE WIND ENERGY FACILITY	
Setback from	Minimum Distance
On-site or Off-site Residence or Habitable Structure	2 x tallest wind tower height
Public Road or Highway	As required by Public Works to meet sight distance and minimum setback requirements from traveled lanes.
Above Ground Transmission Line, Public Access Easement, or Public Trail	2 x tallest wind tower height
Property Line	2 x tallest wind tower height
On-site or Off-site Buildings Other Than a Residential Structure	1 x tallest wind tower height
Trees	As required by the Fire Department
Sconic Drives, Sconic Highways, and Sconic Routes as identified in the General Plan, applicable Area or Community Plan or applicable CSD	2 x tallest wind tower height
Railway	2 x tallest wind tower height

~~8. Maximum height. Wind tower height shall not exceed 500 feet above finished grade.~~

~~9. Signs. One ground mounted or pole mounted project identification sign shall be located at each temporary and permanent ingress and egress point. Signs shall include owner information and emergency contact. No other signs shall be installed for the facility other than safety, directional, and required warning signs as outlined in Part 10 of Section 22.52.~~

**22.52.1640 Conditional Use Permit – Small-Scale Wind Energy Systems~~Non-commercial wind energy conversion system (WECS-N)~~
Modifications.**

A. Applicability. The provisions of Part 1 of Chapter 22.56 shall apply to an application for a conditional use permit for a small-scale wind energy system~~WECS-N~~, except as may be modified by this Part 15.

B. Application – Filing information and documents required. An application for a conditional use permit for a small-scale wind energy system~~WECS-N~~ shall contain the following:

1. The information and documents specified in subsection A of Section 22.56.030, including ownership information, mailing labels, and land use maps as specified, except that the applicable radius for the maps and list specified in subsections A.10.a, b, and c shall be 300 feet.

2. Drawings to scale of the structure, including the tower, base, wind turbine generator, blades, footings, ~~guy wires~~, and associated equipment.

3. Six copies of the proposed site plan, elevation plan, and location map depicting the project location on USGS topographic sheets. Additional copies of these materials may be required by the ~~e~~Director. On each set of the required site plan and elevation plan, the applicant shall depict the type and location of any safety lights and energy storage devices.

4. Evidence satisfactory to the director that the proposed wind turbine generator meets the following standards:

a. The wind turbine generator is certified by a qualified, licensed engineer as meeting the requirements of wind turbine-specific safety and/or performance standards adopted by a national or international standards-setting body, including, but not limited to IEC (International Electric Code) standard 61400-2.

b. The wind turbine generator has a manufacturer's warranty with at least five years remaining from the date the application is filed.

c. The model of equipment proposed has a documented record of at least one year of reliable operation at a site with average wind speeds of at least 12 mph.

5. Where modification of any development standard specified in Section 22.52.16320 is requested, the applicant shall identify the requested modifications and substantiate to the satisfaction of the ~~h~~Hearing ~~e~~Officer that strict compliance with all required development standards would substantially and unreasonably interfere with establishment of the proposed small-scale wind energy system~~WECS-N~~ on the subject property and the requested modifications would not be contrary to the intent and purpose of Part 15.

C. Findings. In approving an application for a conditional use permit for a small-scale wind energy system~~WECS-N~~, the ~~H~~Hearing ~~O~~Officer shall make the following findings:

1. The findings specified in Section 22.56.090.
2. That the proposed use complies with all applicable development standards specified in Section 22.52.16~~3~~20, unless specifically modified as provided herein.
3. If the ~~H~~Hearing ~~O~~Officer modifies any development standard specified in Section 22.52.16~~3~~20 at the request of the applicant, that the applicant has substantiated to the satisfaction of the ~~H~~Hearing ~~O~~Officer that strict compliance with all of the required development standards would substantially and unreasonably interfere with the establishment of any proposed small-scale wind energy system~~WECS-N~~ on the subject property, and the requested modifications would not be contrary to the intent and purpose of Part 15.

D. Conditions. In approving an application for a conditional use permit for a small-scale wind energy system~~WECS-N~~, the ~~H~~Hearing ~~O~~Officer:

1. Shall impose as conditions all of the applicable development standards specified in Section 22.52.16~~3~~20, unless specifically modified as provided herein;
2. May impose any additional conditions deemed necessary to insure that such use will be in accord with the findings specified in subsection C.

E. Appeal. Any person dissatisfied with the action of the ~~H~~Hearing ~~O~~Officer may file an appeal of such action with the commission within the time period set forth

in, and subject to all the other provisions of Part 5 of Chapter 22.60, except that the decision of the commission shall be final and effective on the date of decision and shall not be subject to further administrative appeal.

22.52.1645 Standards for Utility-Scale Wind Energy Facilities.

A. In addition to the standards required under Section 22.52.1630, the following standards shall also apply to all utility-scale wind energy facilities. Where a provision of Section 22.52.1630 regulates the same matter as this Section, the provision of this Section shall apply.

1. Accessory structures. Accessory structures constructed for the purposes of operating and maintaining the utility-scale wind energy facility must meet all applicable development standards of the zone.

2. Aviation safety.

a. A utility-scale wind energy facility shall not be located within the Runway Protection Zone of any airport, as depicted in the County's airport land use compatibility plans.

b. A utility-scale wind energy facility shall not penetrate the imaginary surfaces (primary, approach, transitional, horizontal, and conical surfaces) as defined by the Federal Aviation Administration Federal Aviation Regulations Part 77 to protect the use of navigable airspace.

c. Wind tower lighting shall be prohibited unless required by the Federal Aviation Administration or other applicable law. Any aviation-related agency or the Department may impose additional requirements as deemed necessary.

3. Lighting. In addition to Part 9 of Chapter 22.44, outdoor lighting within the Rural Outdoor Lighting District, which is limited to that required for safety and security, shall be shielded and directed downward to avoid light trespass, and shall consist of motion sensors for entry-lighting to the on-site equipment structures and buildings.

B. Structure-mounted. Structure-mounted utility-scale wind energy facilities shall be subject to the additional standards:

1. Height. The combined height of a structure and structure-mounted utility-scale wind energy facility shall not exceed the height limit of the zone by more than five feet.

2. Setbacks. If mounted to a building, setbacks from the perimeter of the roof shall be:

a. Three feet on residential buildings; or

b. Four feet on non-residential or mixed use buildings.

C. Ground-mounted. Ground-mounted utility-scale wind energy facilities shall be subject to the additional standards:

1. Aviation safety. Wind towers of less than 200 feet in height, measured from finished grade shall be marked with alternating bands of aviation orange and white paint.

2. Blade clearance. No portion of a utility-scale wind energy facility blade shall extend within 30 feet from the finished grade.

3. Fencing. In addition to the California Public Utilities Commission and United States Occupational Safety and Health Administration fencing guidelines for

substations, all fencing shall comply with the following, except as otherwise required by Public Works to maintain minimum corner sight distance:

- a. Opaque and non-opaque fences may be permitted.
- b. Fencing up to eight feet in height is permitted regardless of any other fencing standards.
- c. Fencing shall not be located within 15 feet of a public right-of-way but may be located within the required setback area.
- d. Facility perimeter fencing shall incorporate small animal-permeable design.

4. Impacts to birds and bats. The following buffers shall apply to reduce impacts to birds and bats:

a. No part of a ground-mounted utility-scale wind energy facility shall be closer than 0.25 miles from the following:

- (1) Adopted Significant Ecological Areas;
- (2) Recorded open space easements and publicly designated preserve areas; and
- (3) Riparian areas and wetlands.

b. No part of a ground-mounted utility-scale wind energy facility shall be closer than 0.5 miles from bat roosting sites.

c. No part of a ground-mounted utility-scale wind energy facility shall be closer than one mile from a known golden eagle nest site.

5. Lighting. In addition to Part 9 of Chapter 22.42, for facilities within the Rural Outdoor Lighting District, light-sensor or motion-sensor lighting shall be

required for the main facility access gate, operations and maintenance building doorways, and any parking areas of facilities with operation and maintenance buildings.

6. Maximum height. Wind tower height, including the wind turbine generator, wind-measuring devices, and highest vertical extent of any blades, shall not exceed 500 feet above finished grade.

7. Setback. The minimum setback for a utility-scale wind energy facility shall be as depicted in Table 22.52.1645-A unless a greater setback is required to comply with any applicable fire setback requirements pursuant to the Public Resources Code section 4290. For the purposes of this Section, wind tower height shall include the wind turbine generator, wind-measuring devices, and highest vertical extent of any blades.

<u>TABLE 22.52.1645-A – SETBACK REQUIREMENTS FOR GROUND-MOUNTED UTILITY-SCALE WIND ENERGY FACILITY</u>	
<u>Setback from</u>	<u>Minimum Distance</u>
<u>On-site or Off-site Residence or Habitable Structure</u>	<u>2 x tallest wind tower height</u>
<u>Public Road or Highway</u>	<u>As required by Public Works to meet sight distance and minimum setback requirements from traveled lanes.</u>
<u>Above Ground Transmission Line, Public Access Easement, or Public Trail</u>	<u>2 x tallest wind tower height</u>
<u>Property Line</u>	<u>2 x tallest wind tower height</u>
<u>On-site or Off-site Buildings Other Than a Residential Structure</u>	<u>1 x tallest wind tower height</u>
<u>Trees</u>	<u>As required by the Fire Department</u>
<u>Scenic Drives, Scenic Highways and Scenic Routes as identified in the General Plan, applicable Area or Community Plan or</u>	<u>2 x tallest wind tower height</u>

<u>applicable CSD</u>	
<u>Railway</u>	<u>2 x tallest wind tower height</u>

8. Significant ridgelines. The highest point of a small-scale wind energy system shall be located at least 50 vertical feet and 300 horizontal feet from a significant ridgeline identified in the General Plan, in an applicable Area or Community Plan, or within an applicable Community Standards District.

9. Signs. One ground-mounted or pole-mounted project identification sign shall be located at each temporary and permanent ingress and egress point. Signs shall include owner information and emergency contact. No other signs shall be installed for the facility other than safety, directional, and required warning signs as outlined in Part 10 of Section 22.52.

10. Slope setbacks in Hillside Management Areas. The project shall map the location of Hillside Management Area, as defined in Section 22.08.080, located within a 500-foot radius of any proposed small-scale wind energy system where the system exceeds 50 vertical feet as measured from the base of the slope where it equals or exceeds 25% slope. For any of these mapped areas, all small-scale wind energy systems shall be located at least 300 horizontal feet from the maximum elevations, which are the highest points where the land slopes away, and the highest point of the small-scale wind energy system shall not protrude above these maximum elevations.

22.52.1650 Modifications.

A. When a site plan review is otherwise required, a Conditional Use Permit in compliance with Part 1 of Chapter 22.56, is required for any modification to the applicable standards in this Part 15, except as otherwise provided herein. In addition to

those findings required by Section 22.52.16655, the applicant for such Conditional Use Permit shall substantiate the following findings:

1. Due to topographic or physical features of the site, strict compliance with all of the required standards would substantially and unreasonably interfere with the establishment of the proposed development on the subject property; and

2. The requested modification(s) would not be contrary to the purpose of this Part 15.

B. Except for small-scale wind energy systems, ~~W~~when a Minor Conditional Use Permit or Conditional Use Permit is required, any modification of the applicable standards in this Part 15 may be requested as part of said permit, except as otherwise provided herein. The applicant shall substantiate the findings provided in subsection A above in addition to those required by Section 22.52.16655 and Part 1 of Chapter 22.56. For small-scale wind energy systems, any modification of the applicable standards in this Part 15 shall be pursuant to Section 22.52.1640.

C. When a ground-mounted small-scale solar energy system exceeds the maximum lot coverage established under subsection ~~CB.2~~ of Section 22.52.162015, and requests approval of a Minor Conditional Use Permit pursuant to Part 1 of Chapter 22.56, the system shall be subject to the development standards specified in subsections A and C.1 of Section 22.52.162015 and A and C.7 of Section 22.52.16250 and conditions specified in subsections ~~A.2-d1.b.v~~ and ~~A.2-g1.b.vii~~ of Section 22.52.16760.

D. A wind tower greater than 500 feet in height requires approval of a variance pursuant to Part 2 of Chapter 22.56.

22.52.16545 Uses Subject to Permits – Minor Conditional Use Permit.

For any use subject to a permit, a Minor Conditional Use Permit may filed pursuant to Section 22.56.085.

22.52.16650 Uses Subject to Permits – Aviation Review.

For any use subject to a Minor Conditional Use Permit or Conditional Use Permit and located within a Military Installations and Operations Area (MIOA) or Airport Influence Areas (AIAs) as identified by the General Plan or applicable Airport Land Use Compatibility Plan(s), the following provisions apply:

A. Consultation. Aviation-related agencies shall be consulted for review of the proposed use for any potential impacts to ensure the safety of residents and continued viability of military training and testing operations. The Department shall distribute copies of the proposed site plan, elevation plan, and location map to the aviation-related agencies and shall request comments within a minimum 30-day period. Applicable aviation-related agencies to be consulted include, but are not limited to, the ~~FAA-Federal Aviation Administration~~, United States Navy, Edwards Air Force Base, Air Force Plant 42, United States Forest Service, California Department of Transportation Division of Aeronautics, Public Works – Aviation Division, Department Airport Land Use Commission, County Forester and Fire Warden, and County Sheriff. The consultation review shall request consideration of the following:

1. Uses that produce electromagnetic and frequency spectrum interference, which could impact military operations;

2. Uses that release into the air any substances that may impair visibility such as steam, dust, or smoke;

3. Uses that produce light emissions that could interfere with pilot vision or be mistaken for airfield lighting such as glare or distracting lights;

4. Uses that physically obstruct any portion of the MIOA due to relative height above ground level; and

5. Uses, such as utility-scale solar and wind energy facilities, that may affect aviation fire fighting operations.

B. Any comments received through consultation shall be considered by the Department and provided to the Hearing Officer.

22.52.16655 Uses Subject to Permits – Findings.

A. Except for Temp Met Towers and small-scale wind energy systems, in addition to the findings required under Part 1 of Chapter 22.56, the Hearing Officer shall approve a Minor Conditional Use Permit or Conditional Use Permit if he or she finds that:

1A. The proposed use is sited and designed and will be constructed in such a way to minimize significant impacts to the environment, including impacts to birds and bats, through appropriate measures including minimizing proximity to perch sites such as transmission lines and towers;

2B. The proposed use is sited in such a way to minimize site disturbance (i.e., grading, brush clearance, and other forms of earthwork);

3C. For ground-mounted utility-scale solar energy facilities and utility-scale wind energy facilities, the proposed vegetation along facility perimeter fencing will:

a4. Sufficiently provide buffer from adjacent residential and agricultural uses through variable placement and muting of frontage or other sensitive viewsheds so as to provide a natural visual transition between the project and its surroundings.

b2. Sufficiently provide ground cover to the satisfaction of the staff biologist, and

c3. Provide such buffer and ground cover in a timely manner to the satisfaction of the staff biologist; and

4D. If the proposed use penetrates the lower floor elevation of any MIOA, ~~that~~ the military operator of that MIOA has determined that the proposed use is not detrimental to the function of that MIOA and would not pose a health or safety hazard to military personnel or the public.

B. The Hearing Officer shall approve a Minor Conditional Use Permit for a Temp Met Tower if he or she makes the findings required pursuant to Section 22.52.1635.

C. The Hearing Officer shall approve a Conditional Use Permit for a small-scale wind energy system if he or she makes the findings required pursuant to Section 22.52.1640.

22.52.16760 Uses Subject to Permits – Conditions of Approval.

A. Except for Temp Met Towers and small-scale wind energy systems, ~~in~~ addition to the provisions of Section 22.56.100, the following conditions of approval shall apply:

1A. Utility-scale solar energy facilities.

a~~4~~. Glare. All utility-scale solar energy facilities shall be designed and located in such a way to minimize reflective glare toward any habitable structure on adjacent properties as well as adjacent street rights-of-way.

b~~2~~. Ground-mounted.

i~~a~~. Access roads. All temporary and permanent ingress and egress points to the ground-mounted utility-scale solar energy facility shall be designed and sited to the satisfaction of Public Works and the Fire Department, and shall consider adequate spacing from intersections and maintain adequate sight distances. Dirt access roads shall be treated with a suitable non-toxic long-term soil binder, or application of similarly effective material to control dust such as use of gravel.

ii~~b~~. Decommissioning.

(A)~~i~~. The decommissioning plan shall be prepared to the satisfaction of the Director and the Director of Public Works.

(B)~~ii~~. Prior to any ground disturbance or the issuance of any grading or building permit, performance and financial guarantees in an amount sufficient to ensure the performance of the decommissioning plan shall be determined to the satisfaction of the Director and the Director of Public Works, and incorporated into a final decommissioning plan. The amount shall be posted by the permittee prior to any ground disturbance or the issuance of any grading or building permit.

(C)~~iii~~. Prior to any ground disturbance or the issuance of any grading or building permit, the permittee shall record an easement granting access to the County for activities related to decommissioning. A draft

easement document shall be submitted prior to easement recordation, for review and approval by the Director and the Director of Public Works.

~~(D)iv.~~ In the event that any portion of a ground-mounted utility-scale solar energy facility ceases operation for a consecutive period of six months, or the permit for the use has expired, operations for that use shall be deemed to have been abandoned. Upon written notice from the Director to the permittee advising of the abandoned use, the use shall be removed from the property within the time period specified below:

~~(1A)~~ Within six months after the written notice of abandonment is mailed to the permittee, the permittee shall commence decommissioning of the use in accordance with the decommissioning plan, unless renewal is granted pursuant to subsection A.1.b.ii.~~(D)(2)B~~ of this Section.

~~(2B)~~ Within the six months after written notice of abandonment is mailed to the permittee, the permittee may provide the Director with a written request and justification for an extension to resume operations of the facility or portions thereof.

~~iii.e.~~ Landscaped buffer. The following conditions shall apply:

~~(A)i.~~ A landscaped area at least 10 feet in depth shall be maintained along any facility perimeter fencing, between such fencing and any public right-of-way or adjacent property with an existing residential or agricultural use.

~~(B)ii.~~ Existing non-invasive, drought-tolerant vegetation approved by the staff biologist shall be retained, and/or new non-invasive,

drought-tolerant vegetation approved by the staff biologist shall be planted within the landscaped area within the time frames specified in the permit conditions.

~~(C)iii.~~ The landscaped area shall incorporate a variety of design elements appropriate for the surrounding area, including but not limited to hardscape, such as decorative rocks, boulders, berms, and fencing; and softscape, such as trees, shrubs, vines, and succulents. In no way shall the hardscape or softscape features adversely affect drainage patterns.

~~(D)iv.~~ The landscaped area shall be established in such manner that adequate corner sight distance is maintained from all access roads to the public right-of-way to the satisfaction of the Director of Public Works.

~~(E)v.~~ The landscaped area shall be planted and temporary irrigation system installed prior to final permit inspection of the project or project phase to the satisfaction of the Director. Establishment of the plantings shall be verified at the time of regular inspections according to inspection time frames in the permit conditions.

~~(F)vi.~~ The landscaped area shall be maintained throughout the life of the facility.

ivd. Scenic resources. Any utility-scale solar energy facility placed within the viewshed of a Scenic Drive, Scenic Highway or Scenic Route identified in the General Plan, an applicable Area or Community Plan, or Community Standards District shall be analyzed for any associated negative impacts, including but not limited to visual impacts. Appropriate conditions relating to siting, buffering, height,

and design of the facility may be imposed to minimize significant effects on the viewshed.

~~ve.~~ Site disturbance. The measures found in this subsection shall in no way be construed as a substitute for compliance with State requirements imposed by the applicable Air Quality Management District, and the following additional conditions shall apply.

(A)~~i~~ Soil erosion. To ensure dust control and minimal soil erosion, existing vegetation may be mowed, but removal of existing vegetation root systems shall be prohibited, except where necessary for construction of access roads, substations and related underground transmission lines, tanks, basins, inverter pads, or other areas required by the County.

(B)~~ii~~ Hydrology. The facility shall be designed to minimize erosion, sedimentation, or other impacts to the natural hydrology and drainage patterns of the property. Existing topography and watercourses shall be retained or restored to pre-development conditions following construction and during operations, except for drainage features specifically designed to mitigate drainage impacts. Prior to any discretionary approval, a hydrology study shall be prepared in compliance with the most recent County standards for addressing drainage impacts to the satisfaction of Public Works.

(C)~~iii~~ Grading. To control fugitive dust and preserve the natural topography, the facility shall be designed in such a way that ground disturbance or grading is limited to only the access roads, substations and related underground transmission lines, tanks, basins, inverter pads, or other areas required by

the County. A site plan consistent with application materials required under Section 22.52.16150 shall depict the extent of grading and/or ground disturbance, and the facility shall comply with all applicable grading standards.

(D)~~iv~~ Fugitive dust control plan. A fugitive dust control plan including a dust plume response plan shall be prepared by the permittee for review and approval by applicable agencies prior to any earthwork activities.

(E)~~v~~ Construction practices.

(1A) Fugitive dust. Fugitive dust emission shall be controlled by phased earthwork, site watering, use of clean gravel not to exceed a depth of six inches where applicable, application of non-toxic soil stabilizers, limiting public access on unpaved areas, posting private roadways with reduced speeds, and/or re-vegetation. Use of other fugitive dust mitigation measures may be implemented by the permittee if determined by applicable agencies to be suitable methods to adequately control dust in a safe manner during construction, operations, and removal and restoration activities.

(2B) Vegetation. Work where the facility components are being installed in areas with existing vegetation, shall be conducted with minimal disturbance, and the permittee shall take all necessary precautions to not use vehicles or machinery for grading or alter the existing grade in these areas. When vehicles or machinery are deemed necessary for installation, appropriate ground-protection practices (such as construction mats, stabilizers, or established vegetation) shall be utilized for both dust suppression and to ensure that the use of vehicles or machinery is compatible with continued and future vegetation growth. The permittee

shall retain a biologist to confirm that construction practices are compatible with continued and future vegetation growth. Any grading, disking, scraping, or other ground disturbance proposed as part of the facility shall be permanently stabilized with an earth-stabilizing product or other measure that is acceptable to the Department and Departments of Public Works and Public Health to prevent fugitive dust.

vi~~f~~. Transmission lines. On-site and off-site transmission lines shall be placed underground to the satisfaction of the Department and Department of Public Works, except where above-ground crossings are otherwise required (such as over the California Aqueduct). A franchise agreement shall be required for distribution/transmission facilities within the public right of way. Disturbed areas shall comply with subsection A.2-d1.b.v of this Section to ensure dust control and minimal soil erosion.

viig. Water quality protection. Measures to protect groundwater and surface water from waste discharge shall be incorporated into the facility design, as appropriate, and shall meet the requirements of the Regional Water Quality Control Board.

viii~~h~~. Water use.

(A)~~i~~. The facility shall use the minimum amount of water required during the construction period. The facility shall be limited to the maximum use of water as established by the Hearing Officer for the duration of the construction period.

(B)~~ii~~. The facility shall use the minimum amount of water required during the operation of the facility. The facility shall be limited to the

maximum use of water as established by the Hearing Officer for the operation of the facility for the duration of this grant.

(C)iii. The facility shall use piped recycled water if it is available from the public right-of-way within one mile from the property at fair market value and suitable for use, and if deemed appropriate by the staff biologist. If such piped recycled water does not meet all of the facility's water demand, the facility shall use piped potable water to supplement piped recycled water if it is available from the public right-of-way within one mile from the property at fair market value and suitable for use.

(D)iv. The permittee shall maintain a daily log, which shall include the number of gallons and acre feet of water used on the property used for the following, which includes, but is not limited to: construction, operation, maintenance, landscaping, and irrigation. The permittee shall complete the record of monthly water usage by source within five working days following the conclusion of each calendar month. The log shall be made available to the Department upon demand.

~~B. Temporary meteorological towers.~~

~~1. Colors. Except as otherwise required in this Section, the colors used in the construction materials or finished surface shall be muted and visually compatible with the surrounding development or environment.~~

~~2. Maintenance. All equipment and wind towers shall be maintained in an operational condition that poses no potential safety hazards. Maintenance shall include, but not be limited to, painting, regularly scheduled cleaning, routine mechanical and/or electrical repairs, structural repairs, and security measures.~~

~~3. Ground mounted. All temporary and permanent ingress and egress points to the wind tower shall be designed, sited and maintained to the satisfaction of the Public Works and the Fire Department, and shall consider adequate spacing from intersections and maintain adequate sight distances. Dirt access roads shall be treated with a suitable non-toxic long-term soil binder, or application of similarly effective material to control dust such as use of gravel.~~

~~C. Small scale wind energy systems. In addition to the conditions of approval required under subsection B of this Section, the following conditions of approval shall also apply to small scale wind energy systems:~~

~~1. Noise. Noise from a small scale wind energy system shall not exceed 60 dBA SEL (single event noise level), as measured at the closest existing neighboring inhabited dwelling at the time of approval.~~

~~2. Scenic resources. Any small scale wind energy system placed within the viewshed of a Scenic Drive, Scenic Highway or Scenic Route identified in the General Plan, an applicable Area or Community Plan, or Community Standards District shall be analyzed for any associated negative impacts, including but not limited to visual impacts. Appropriate conditions relating to siting, buffering, height, and design of the system may be imposed to minimize significant impacts on the viewshed.~~

~~3. Ground mounted. The vegetation within a 10-foot radius of the base of a wind tower shall be mowed and appropriate measures shall be applied to prevent re-growth, but removal of existing vegetation root systems shall be prohibited.~~

~~2D. Utility-scale wind energy facilities. In addition to the conditions of approval required under subsections B and C of this section, subsections A.1.b2.a, b, d,~~

~~e and f~~ of this Section, the following conditions of approval shall also apply to ground-mounted utility-scale wind energy facilities:

a. Colors. Except as otherwise required in this Section, the colors used in the construction materials or finished surface shall be muted and visually compatible with the surrounding development or environment.

b. Maintenance. All equipment and wind towers shall be maintained in an operational condition that poses no potential safety hazards. Maintenance shall include, but not be limited to, painting, regularly scheduled cleaning, routine mechanical and/or electrical repairs, structural repairs, and security measures.

c. Noise. Noise from a utility-scale wind energy system shall not exceed 60 dBA L_{eq} (equivalent sound level), as measured at the closest existing neighboring inhabited dwelling at the time of approval., or closest property line, whichever is closer.

B. For Temp Met Towers, the conditions of approval as required by Section 22.52.1635 shall apply.

C. For small-scale wind energy systems, the conditions of approval as required by Section 22.52.1640 shall apply.

22.52.1675 Enforcement Procedures.

A. Pursuant to subsection A of Section 22.60.390, the Director or designee is authorized to issue a Final Zoning Enforcement Order, without prior issuance of a Notice of Violation, to any permittee operating a small-scale solar energy system, ~~small-scale wind energy system~~, utility-scale solar energy facility, utility-scale wind energy facility, or Temporary Meteorological Tower not in compliance with the provisions of

this Part 15. The Final Zoning Enforcement Order shall subject the non-compliant permittee to enforcement actions pursuant to Section 22.60.390. In addition, the non-compliant permittee may be subject to any civil and criminal remedies.

B. Nothing in this Section shall preclude the Director or designee from issuing a warning, field notice of violation, Notice of Violation, or citation prior to issuing a Final Zoning Enforcement Order for a non-compliant small-scale solar energy system, ~~small-scale wind energy system,~~ utility-scale solar energy facility, utility-scale wind energy facility or ~~Temporary Meteorological Tower.~~

SECTION ~~634~~645. Section 22.52.2430 is hereby amended to read as follows:

22.52.2430 Wineries–Permit requirements.

...

C. Conditions of approval. In addition to any other condition imposed by the ~~Director~~Hearing Officer or the Commission, the development standards and operating regulations set forth in Sections 22.52.2410 and 22.52.2420 of this Part 23 shall be made conditions of approval for any winery CUP, except where modified by the Hearing Officer or the Commission.

...

SECTION ~~645~~656. Section 22.52.2460 is hereby amended to read as follows:

22.52.2460 Tasting rooms–Permit requirements.

...

B. Conditions of approval. In addition to any other condition imposed by the ~~Director~~Hearing Officer or the Commission, the development standards and operating regulations set forth in Sections 22.52.2440 and 22.52.2450 of this Part 23 shall be made conditions of approval for any tasting room CUP, except where modified by the Hearing Officer or the Commission.

...

SECTION ~~656~~667. Section 22.52.2490 is hereby amended to read as follows:

22.52.2490 Remote tasting rooms–Permit requirements.

...

B. Conditions of approval. In addition to any other condition imposed by the ~~Director~~Hearing Officer or the Commission, the development standards and operating

regulations set forth in Sections 22.52.2470 and 22.52.2480 of this Part 23 shall be made conditions of approval for any remote tasting room CUP, except where modified by the Hearing Officer or the Commission.

...

SECTION 667. Section 22.56.030 is hereby amended to read as follows:

22.56.030 Application–Information Required.

A. An application for a conditional use permit shall contain the following information:

...

10. With each application, the applicant shall also file:

a. Maps in the number prescribed, and drawn to a scale specified by the director, showing the location of all property included in the request, the location of all highways, streets, alleys and the location and dimensions of all lots or parcels of land within a distance of 500 feet from the exterior boundaries of the subject parcel of land. If the application is for a minor conditional use permit in accordance with Section 22.56.085, a distance of 300 feet from the exterior boundaries of the subject parcel of land shall be provided in lieu of 500 feet,

b. One copy of said map shall indicate the uses established on every lot and parcel of land shown within said 500-foot radius or within said 300-foot radius if the application is for a minor conditional use permit in accordance with Section 22.56.085,

c. A list, certified to be correct by affidavit or by a statement under penalty of perjury pursuant to Section 2015.5 of the Code of Civil Procedure, of

the names and addresses of all persons who are shown on the latest available assessment roll of the county of Los Angeles as owners of the subject parcel of land and as owning property within a distance of 500 feet from the exterior boundaries of the parcel of land to be occupied by the use. If the application is for a minor conditional use permit in accordance with Section 22.56.085, a distance of 300 feet from the exterior boundaries of the parcel of land to be occupied by the use shall be provided in lieu of 500 feet. One copy of said map shall indicate where such ownerships are located,

d. Proof satisfactory to the director that water will be available in quantities and pressures required by the Water Ordinance, set out at Division 1 of Title 20 of this code, or by a variance granted pursuant to said Division 1. The director may accept as such proof a certificate from the person who is to supply water that he can supply water as required by said Division 1 of Title 20, also stating the amount and pressure, which certificate also shall be signed by the forester and fire warden, or a certificate from the county engineer that such water will be available;

...

SECTION 678. Section 22.56.070 is hereby amended to read as follows:

22.56.070 Application–Public Hearing Required–~~Exception~~

In all cases where an application for a conditional use permit is filed, ~~except where the Director grants the permit pursuant to section 22.56.085,~~ the public hearing shall be held pursuant to the procedure provided in Part 4 of Chapter 22.60, except where an application for a minor conditional use permit is filed, a minor conditional use permit shall not be subject to the provisions of Section 22.60.175.

SECTION 689. Section 22.56.085 is hereby amended to read as follows:

22.56.085 Grant or Denial of Minor Conditional Use Permit.

A. ~~Any person filing a~~An application for a minor conditional use permit may ~~request the Director to consider the application in accordance with the section~~be filed for the following uses:

...

-- Modification of significant ridgeline protection provisions as provided in Sections 22.44.143.D.10.b., 22.44.143.D.10.c. or 22.44.144.D.10.b.

-- Small-scale solar energy system, ground-mounted, in the Open Space and Watershed zones, in accordance with Part 15 of Chapter 22.52.

-- Small-scale wind energy system in accordance with Part 15 of Chapter 22.52.

...

-- Tasting rooms, remote, subject to the applicable provisions of Part 23 of Chapter 22.52.

-- Temporary meteorological tower (Temp Met Tower) in accordance with Part 15 of Chapter 22.52.

-- Utility-scale solar energy facility, structure-mounted, in the Single-Family Residence zone, except for small residential rooftop solar energy system, as defined and regulated by Government Code Section 65850.5, as may be amended from time to time, and the Los Angeles County Building Code, as may be amended from time to time, in accordance with Part 15 of Chapter 22.52.

~~--~~ Utility-scale wind energy facility, structure-mounted, in all zones except the Single-Family Residence zone, in accordance with Part 15 of Chapter 22.52.

~~-----~~ Wind energy conversion systems, non-commercial (WECS-N).

~~...~~

B. The purpose of this section is to authorize the ~~director's ex parte~~ consideration of minor conditional use permit applications that by their nature are limited in scope and impacts.

~~C. The director shall cause notice of the application to be mailed by first-class mail, postage pre-paid, to all those addresses on the list required by subsection A.10.c of Section 22.56.030 that are within a distance of 300 feet from the exterior boundaries of the parcel of land to be occupied by the requested use, and to such other persons whose property or interests might, in the director's judgment, be affected by the request. The notice shall describe the project and also indicate that any individual may request a public hearing on the application by filing a written request with the director within 14 calendar days following the date on the notice.~~

DC. ~~Unless at least two requests for a public hearing have been filed with the director as provided in subsection C of this section, the director~~The Hearing Officer may grant such permit ~~without a public hearing if the director~~ he or she finds that the use requested, subject to such conditions deemed necessary, will comply with the findings required by Section 22.56.090 and with any applicable requirements of Chapter 22.52, and if he or she further finds that the impacts of the use requested on safety, facilities and services, and natural resources are minor in nature.

~~ED.~~ ~~The director shall notify the applicant and any persons who filed a timely request for a hearing of his decision. Any appeal from the director's decision shall be filed with the hearing officer within 14 days following the date on the notice of director's decision.~~ The decision of the Hearing Officer may be appealed to the commission. All appeals shall be filed within the time period set forth in, and shall be subject to all of the other provisions of Part 5 of Chapter 22.60 except that the decision of the commission shall be final and effective on the date of the decision and shall not be subject to further administrative appeal, unless the permit was considered by the commission concurrently with a decision on a general plan or specific plan amendment, zone change, development agreement or other legislative action.

SECTION ~~6970~~ 704. Section 22.60.100 is hereby amended to read as follows:

22.60.100 Filing Fees and Deposits.

A. For the purposes of defraying the expense involved in connection with any application or petition required or authorized by this Title 22, the following fees shall accompany the application or petition:

...

-- Minor Conditional Use Permits -- \$1,494.00, ~~except that where a public hearing is requested pursuant to Section 22.56.075, an additional fee of \$7,230.00 shall be paid.~~

SECTION ~~704~~ 704. Section 22.60.176 is hereby amended to read as follows:

22.60.176 Conduct of Hearings-Hearing Officer duty.

When a verified application is filed for a permit or variance and a hearing is required by Title 21 or this Title 22, the hearing officer shall hold such hearing unless

the hearing examiner and/or commission conduct hearings pursuant to Section 22.60.171. The hearing officer shall hold a hearing for a minor conditional use permit application unless the minor conditional use permit is filed concurrently with an application for a general plan or specific plan amendment, zone change, development agreement or other legislative action.